IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE JURISDICTION

Writ Petition No.94l7 of 2003

Jyotsna Chabilal Ahire.. Petitioner

vs

Zilla Parishad Thane & ors...Respondents

Mr M C Syed for petitioner

Mr.A.H.Palekar AGP for respondents

CORAM: S.U.KAMDAR J.

Dated 16.l2.2005

P.C:

. The present petition challenges the order passed by the Additional Commissioner, Konakan Division, under which order passed by the Chief Executive Officer, Zilla Parishad, Thane has been confirmed. It has been found that the degree which has been held by the petitioner was found to be invalid because it was from an institute which was not recognised. Inspite of knowing the same, fabricated degree certificate has been filed by the petitioner. In that behalf an FIR has been lodged and accordingly criminal proceedings is also

initiated. However, the learned counsel for the petitioner states that she should be given benefit of a circular dated 2.6.2000. However, perusal of the said circular more particularly clause 4 thereof indicates that the said circular is only available to those teachers who are still in service. In view of the fact that the petitioner's service having been already terminated, petitioner is not entitled to the benefit of the said circular. It is pertinent to note that it is also not dispute that the said institution was not recognised.

. In that view of the matter petition fails and same is dismissed with no order as to costs.